

Public Chapter 364

SENATE BILL NO. 1182

By Ramsey, Gilbert, Crowe, McNally, Atchley, Haun

Substituted for: House Bill No. 653

By Davis, Westmoreland, Godsey, Mumpower, Arriola, West, Givens

AN ACT To amend Tennessee Code Annotated, Title 68, Chapter 11, relative to methadone.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Notwithstanding the provisions of Tennessee Code Annotated, Title 68, Chapter 11, or any other law to the contrary, during the one-year period immediately following the effective date of this act, the Health Facilities Commission shall have no authority to approve a certificate of need for any non-residential methadone treatment facility which would create, expand or otherwise locate additional methadone treatment programs or medication units anywhere in this state and the board for licensing health care facilities shall have no authority to issue a license for any non-residential methadone treatment facility which would create, expand or otherwise locate additional methadone treatment programs or medication units anywhere in this state.

SECTION 2. The provisions of this act shall not apply so as to prohibit or limit the issuance of a certificate of need or a license for any non-residential methadone treatment program which meets all of the following requirements:

(1) A certificate of need for the facility was issued by the Health Facilities Commission prior to January 1, 1997, but has not received a license pursuant to Title 68, Chapter 11, Part 2, prior to the effective date of this act; and

(2) Prior to the effective date of this act a certificate of need was applied for to relocate the non-residential methadone treatment facility to a location within the same county as originally certified, and which location is not within a three (3) mile radius of the originally certified location.

SECTION 3. (a) The provisions of this act shall not apply to any facility which meets all of the following conditions:

(1) the facility has obtained a license prior to the effective date of this act;

(2) the facility seeks only to relocate within the same county, to a site located within one and one-half (1.5) miles of the present operating location; and

(3) the facility shall comply with the provisions of Tennessee Code Annotated, Title 68, Chapter 11, concerning certificates of need.

(b) The provisions of this section shall only apply in counties having a population of not less than three hundred thirty-five thousand (335,000) nor more than three hundred thirty-six thousand (336,000) according to the 1990 federal census or any subsequent federal census.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.